

94607, and have been duly admitted to practice law in the States of Pennsylvania, Kentucky, and California, the United States Supreme Court, the U.S. District Court for the Eastern and Western Districts of Kentucky, and the U.S. Court of Appeals for the Third, Sixth, Eighth, and Ninth Circuits. I have an application pending for admission as *pro hac vice* counsel for Claimant Dean McElroy (“Claimant”).

2. Unless otherwise stated in this Declaration, I have personal knowledge of the facts set forth herein. If called as a witness, I would testify as to those facts.

3. I submit this Declaration in support of Claimant’s opposition to the Motion of Debtor LTL Management LLC (“Debtor”) for Order (I) Declaring That the Automatic Stay Applies or Extends to Certain Actions Against Non-Debtors, (II) Preliminarily Enjoining Such Actions, and (III) Granting a Temporary Restraining Order Ex Parte Pending a Hearing on a Preliminary Injunction. [Adv. Dkt. 2.]

4. I am the partner in charge of all aspects of Claimant’s case, including trial and appeal. As a result, I have personal knowledge of the case’s procedural posture and management.

5. Attached hereto as **Exhibit 1** is a true and correct copy of the Notice of Entry of Amended Judgment on Special Verdict in *Leavitt v. Johnson & Johnson*, Case No. RG17882401 (“Leavitt”), filed on November 1, 2019, in the Superior Court of California, County of Alameda (“State Court”).

6. Johnson & Johnson (“J&J”) appealed the verdict and made several challenges, including to the jury’s causation findings. In an unpublished opinion, the appellate court rejected all of J&J’s challenges and affirmed the judgment. *Leavitt v. Johnson & Johnson*, A157572, 2021 WL 3418410, at *2 (Cal. App. 1st Dist. Aug. 5, 2021). Attached hereto as **Exhibit 2** is a true and correct copy of the unpublished *Leavitt* opinion.

7. Attached hereto as **Exhibit 3** is a true and correct copy of the California Supreme Court's order denying J&J's petition for review of the *Leavitt* case, filed on November 10, 2021.

8. Attached hereto as **Exhibit 4** is a true and correct copy of the Remittitur, filed in the *Leavitt* appellate case on November 10, 2021.

9. On October 10, 2022, Ms. Leavitt died from malignant mesothelioma. Claimant is Ms. Leavitt's surviving spouse. Ms. Leavitt also has two surviving children.

10. But for the Third Amended Ex Parte Temporary Restraining Order, Ms. Leavitt's heirs would have filed their wrongful-death claims against J&J and Debtor.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief. I executed this Declaration on April 17, 2023, in New York, New York.

By: /s/ Joseph D. Satterley
JOSEPH D. SATTERLEY